



May, 23, 2006

The Honorable Jane Harman
Ranking Member
House Permanent Select Committee on Intelligence
United States House of Representatives
2400 Rayburn House Office Building
Washington, DC 20530

Re: Support for H.R. 5371

Dear Representative Harman:

We are writing on behalf of the Open Society Policy Center, a non-partisan policy advocacy organization, to express our support for H.R. 5371, the "Lawful Intelligence and Surveillance of Terrorists in an Emergency by NSA Act."

Unlike other proposed legislative responses to the recent revelations about NSA surveillance, H.R. 5371 does not seek to amend and weaken the Foreign Intelligence Surveillance Act (FISA) but rather to make the Act work more effectively. It reaffirms that FISA and the complementary criminal code provisions are the exclusive means for wiretapping persons in the United States. It rejects the spurious claim that the Authorization for the Use of Military Force (AUMF) authorized the President to ignore the procedures and protections established by FISA.

We commend this effort to insist upon congressional oversight and judicial supervision of governmental surveillance, and hope that it garners widespread support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mort Halperin'.

Morton H. Halperin
Executive Director

A handwritten signature in black ink, appearing to read 'Joe Onek'.

Joe Onek
Senior Policy Analyst